

1 declined that offer. Would you mind telling me why?

2 A. I declined it because they wanted to come like
3 the next week or so. That was not timely enough for us
4 to notify the constituents of Jefferson County.

5 Q. And when you say that -- when you testified
6 that they notified you days before, was that days before
7 the November 5th, 2013 election?

8 A. No, days before they wanted to set up the DPS
9 mobile station.

10 Q. And did the Secretary of State's office offer
11 in any way to assist in providing notice to county
12 residents of the availability of the mobile EIC
13 stations?

14 A. No. At that time they did not tell me of any
15 assistance that they were going to give me on the
16 notification.

17 Q. And when they were actually set up, the -- in
18 February, did they provide you with any assistance in
19 reaching out to the residents of Jefferson County
20 regarding the availability of the mobile EIC stations?

21 A. When they set up in February, yes, they did.
22 They did some radio announcements.

23 Q. But the Secretary of State's office did the
24 radio announcements?

25 A. Yes, they did.

1 Q. And when were those radio announcements
2 actually -- do you know how many radio announcements?

3 A. No, I don't know how many, but they were done
4 like for at least a week.

5 Q. And do you know what time of day, when they
6 actually occurred?

7 A. No, sir, I don't.

8 Q. Do you know what the substance of the radio
9 announcement was?

10 A. The substance was just that they were going to
11 have the mobile stations here for those requiring
12 election identification cards in order to vote, if you
13 didn't have the proper photo ID.

14 Q. And were those radio announcements by the
15 Secretary of State, do you know if they were in both
16 English and Spanish?

17 A. I don't remember the Spanish version.

18 Q. And I believe you were asked the question --
19 or strike that. Let me just ask you the question: Do
20 you believe that a week's notice of -- was effective --
21 do you believe that the EIC stations in February were
22 effective?

23 A. I'm not sure because I don't know what the
24 turnout was. I know that we did the best that we could
25 to get the messages out to the churches and to the

1 organizations that we had access to.

2 And we had a couple of weeks in order to
3 get that message out, so at least I felt like we had
4 more time to get the messages out. Whether or not they
5 were utilized, I'm not sure.

6 Q. Okay. And why are you not sure what the
7 turnout is in Jefferson County regarding the mobile EIC
8 station?

9 A. Because at that time, I was involved in doing
10 the early voting for that election.

11 Q. And did the DPS offer any information
12 regarding the mobile EIC stations?

13 A. No, they did not.

14 Q. Did you at any time request any information
15 regarding the mobile EIC stations?

16 A. No, I did not.

17 Q. And I believe -- and I apologize if you've
18 answered this question. Was there any county staff that
19 were present during the operation of the EIC mobile
20 station?

21 A. No, not -- only to the point of going to make
22 sure that the buildings were open and accommodating for
23 the DPS personnel they had out there.

24 Q. Did the Secretary of State's office or DPS
25 offer to allow any county election officials to assist

1 during the operation of the mobile EIC stations?

2 A. They didn't offer, and I did not offer because
3 I would not have had the staff available. We were in
4 the middle of elections at the time.

5 Q. So when you say "they didn't offer," you're
6 talking about DPS?

7 A. DPS, or Secretary of State.

8 Q. And if they had offered, you did not have
9 staff available, is that what you're telling me?

10 A. No, I would not have had the staff available.

11 Q. Regarding DPS, the DPS offices, have you --
12 are you aware of any complaints by Jefferson County
13 residents regarding their reluctance to go to DPS for
14 any reason?

15 MR. KEISTER: Object to form.

16 A. I'm sorry, would you repeat that?

17 Q. (By Mr. Gear) Sure. That probably wasn't
18 clear. Have you heard any complaints from county
19 residents regarding the DPS offices?

20 MR. KEISTER: Object to form. Vague.

21 A. Well, yeah. They complain it's not
22 accessible, it's far, and it's always too crowded.

23 Q. (By Mr. Gear) And when you say always too
24 crowded, do you have an idea as to what the wait times
25 in the DPS offices currently are?

1 A. Well, I can only go by what I'm told, and
2 that's anywhere from 30 minutes to an hour, or longer.

3 Q. And that would be the average wait time, as
4 you understand it, in the DPS offices in Jefferson
5 County?

6 MR. KEISTER: Object to form.

7 A. Yes. And that's because of the wait time
8 behind those getting, I guess, driver's licenses, or
9 renewals, or whatever.

10 There is no -- as far as I know, there
11 has been no provisions just to go in and get EIC cards,
12 certificates.

13 Q. (By Mr. Gear) Do you have an understanding as
14 to what the EIC election identification certificate
15 process is at DPS?

16 A. No, I don't.

17 Q. Do you have an opinion as to whether or not
18 the underlying documents that are necessary to present
19 in order to receive an EIC are free?

20 MR. KEISTER: Object to form.

21 A. They are not free.

22 Q. (By Mr. Gear) And when you say they are not
23 free, what is the basis of your opinion?

24 MR. KEISTER: Object to form.

25 A. Well, you have to have some type of a birth

1 certificate, or a marriage license, or some type of form
2 to prove who you are.

3 Q. (By Mr. Gear) And in Jefferson County, if
4 someone does not have an original or certified copy of
5 their birth certificate, I believe you testified that
6 the amount has been reduced, but it is -- the birth
7 certificate would not be free; correct?

8 A. That is correct.

9 Q. The reduced fee, would that be required to be
10 paid by the applicant for the birth certificate?

11 A. Yes, that's correct.

12 Q. And I believe you also testified that if an
13 individual enters into the office of vital statistics to
14 get a birth certificate, that they would not be
15 immediately informed of the reduced fee.

16 A. Not unless they would tell the clerk what the
17 purpose was -- what they are there for, what they need
18 it for. I mean, it's not information that's just
19 volunteered.

20 I mean, the clerk is not going to say,
21 "Do you need a birth certificate for an EIC card?"

22 Q. So the answer to that is "no"?

23 A. Yes.

24 Q. You testified briefly about the religious
25 exemption for photo IDs, and you mentioned that -- well,

1 strike that.

2 How has the county advertised regarding
3 the religious exemptions for photo IDs?

4 A. We have not advertised anything about
5 exemptions, religious exemptions.

6 Q. Has the county advertised regarding disability
7 exemptions?

8 A. No, we have not.

9 Q. Are you aware of whether the state has
10 provided any -- any assistance in advertising that
11 information -- that type of information regarding
12 exemptions in Jefferson County?

13 A. I'm not aware of any.

14 Q. And as the election administrator, is it fair
15 to say that if they had, you would be aware of that?

16 A. That's correct.

17 Q. You mentioned that the county was responsible
18 for implementing its own training regarding S.B. 14. Am
19 I correct on that?

20 A. Yes.

21 Q. Did you reach out to any other counties
22 regarding the training and the implementation of
23 S.B. 14?

24 A. No, I did not.

25 Q. Has any county resident expressed concerns

1 regarding a fear of going to DPS because they may be
2 targeted in any fashion?

3 MR. KEISTER: Object to form. Vague.

4 Calls for speculation.

5 Q. (By Mr. Gear) Well, let me clarify that. I
6 asked has any county resident -- are you aware of any
7 county resident complaining to you or your staff
8 regarding DPS because of fear of being targeted in any
9 fashion by the DPS offices?

10 MR. KEISTER: Objection; form. Vague.

11 A. Well, I don't know about fear. I guess there
12 was an initial dialogue whether or not if they apply for
13 EIC, could they be arrested if they had warrants.

14 Q. (By Mr. Gear) When you say "initial
15 dialogue," who was this dialogue with?

16 A. Just citizens of Jefferson County. I mean,
17 that was the initial dialogue, any time they go to DPS,
18 though.

19 Q. And what is your understanding of -- could you
20 please explain the substance of that dialogue?

21 A. I mean, most people think that when they go to
22 DPS, that DPS is going to run their name to see if they
23 have any warrants.

24 I mean, I have known a lot of people that
25 if they have warrants, they go straight from DPS to

1 jail. I guess if you do the crime, you do the time.

2 Q. What about underlying traffic tickets?

3 A. Those, too.

4 Q. Have there been any concerns regarding names
5 of county residents being run who may have underlying
6 traffic tickets, or outstanding tickets?

7 A. I guess there may have been some concerns as
8 well.

9 Q. And what, if any, understanding do you have
10 about the process at DPS regarding running for warrants
11 for underlying tickets or traffic tickets?

12 A. Well, I don't know what their process is.

13 Q. So as you sit here today, your testimony is
14 that you heard from county residents regarding concerns
15 related to being arrested at DPS and having their names
16 checked for tickets or traffic tickets, but you don't
17 know what the process is at DPS currently?

18 A. That's true.

19 MR. KEISTER: Object to form.
20 Mischaracterizes previous testimony. Plus, it's vague.

21 Q. (By Mr. Gear) And I didn't catch your answer
22 to that.

23 A. That's true.

24 Q. And I'm almost done. I have maybe one or two
25 more questions.

1 Regarding the mobile EIC stations, did
2 the Secretary of State's office assist in any way to
3 determine the appropriate locations for the mobile EIC
4 stations?

5 A. No, they did not.

6 Q. Did they provide you with any data that may
7 suggest where the highest no matches may be in Jefferson
8 County?

9 A. No, they did not.

10 Q. And you have been the election administrator
11 since 2004, did I understand that testimony correctly?

12 A. Yes, I've been county clerk since 2004.

13 Q. County clerk. And since 2004, are you aware
14 of any allegations, investigations, or convictions of
15 any person in voter fraud in Jefferson County?

16 A. No, I'm not aware of any.

17 Q. And that's true from 2004 to the present?

18 A. That's correct.

19 Q. And prior to 2004, are you aware of any
20 allegations, investigations, or convictions of any
21 person voter impersonation fraud?

22 A. I'm not aware of any.

23 Q. And one last question. I understood -- and I
24 do not have the exhibits in front of me. But I
25 understood that you provided some testimony regarding

1 military ID, and there's a question regarding military
2 ID with no photo. Do you recall that testimony?

3 A. There was testimony concerning military ID
4 that had a name only with no birth date or anything on
5 it, no birth date or address.

6 Q. Okay. And so my question is: What, if any,
7 type of training have you provided to your poll workers
8 and election judges on how to deal with that specific
9 issue?

10 MR. KEISTER: Objection; form.

11 A. Well, we have examples from the Secretary of
12 State showing the different type of ID. I've never run
13 across a military ID that didn't have a birth date or a
14 picture on it, so that would be something new, if it
15 didn't.

16 Q. (By Mr. Gear) And if you were to run across
17 that situation, or one of your election judges, or poll
18 workers, more appropriately, would that individual who
19 is presenting a military ID with those factors -- how
20 would they be allowed to vote?

21 MR. KEISTER: Objection; form. Vague.
22 Calls for speculation.

23 A. If his military ID bear no what? No birth
24 date?

25 Q. (By Mr. Gear) Birth date.

1 A. No address?

2 Q. I believe you had one other factor that you --

3 A. No address, only his name and his picture?

4 Q. That's correct.

5 A. Well, if it had a name and his picture on it,
6 and I guess it looked like him, hopefully, he would have
7 another form of ID. He would have to have a second form
8 of ID. If not, he would probably vote a provisional
9 ballot.

10 Q. So do I understand your testimony, if that
11 person did not have a second form of ID, they would be
12 required to vote a provisional ballot?

13 MR. KEISTER: Objection; form. Vague.
14 Mischaracterizes previous testimony and calls for
15 speculation.

16 Counsel, I think you're confusing the
17 example with the testimony that's been given. There
18 hasn't been any military ID questions presented other
19 than the exhibit with the hypotheticals.

20 MR. GEAR: And certainly, I don't want to
21 confuse the situation. I certainly don't want to
22 confuse the deponent.

23 Q. (By Mr. Gear) So the question before you
24 is -- which I believe you've answered, is if an
25 individual came in to a polling place with a military

1 ID, that -- under the situations you have testified to,
2 I believe you indicated your testimony -- in your
3 testimony, that they would be required to present a
4 second form of ID. Am I accurate on that?

5 MR. KEISTER: Objection; form.
6 Mischaracterizes previous testimony.

7 A. Right. I believe so. I would have to look
8 that one up. I would say I would have to go back to the
9 election code and look that one up, or to the photo ID
10 law and look that up.

11 Q. (By Mr. Gear) And at a polling place, would
12 that be left to the discretion of the poll worker or the
13 election judge?

14 MR. KEISTER: Objection; form, vague.

15 A. Well, probably the election judge and the poll
16 worker at that time, if they were confused, they will be
17 calling us, and we would be looking it up. Because
18 normally that's what they do.

19 If they are not sure, they're instructed
20 to call us. Which is myself, or Teresa, or the election
21 manager. And then, of course, before we give them an
22 answer, we would look it up.

23 We want to be within the intent of the
24 law. So I just can't answer it haphazardly without
25 seeing what applies in that case.

1 Q. And I apologize for any confusion I caused.

2 A. That's quite all right.

3 MR. GEAR: I have no further questions.

4 And I pass the witness.

5 MR. KEISTER: Anyone else on the
6 telephone?

7 MS. SIMSON: I don't believe so. I think
8 it's just Bruce.

9 EXAMINATION

10 BY MR. KEISTER:

11 Q. Ms. Guidry, with respect to that issue, the
12 military IDs, have you seen any military IDs here today
13 that you've looked at?

14 A. No, I have not.

15 Q. And the questioning that occurred earlier with
16 respect to military IDs was questioning concerning the
17 examples that was provided to you in Exhibit No. 1;
18 correct?

19 A. Right.

20 Q. Now, with respect to what you would look for,
21 or what you would train the poll workers to look for,
22 with respect to a proper military ID, have you been
23 provided examples by the Secretary of State as to what
24 the various military IDs look like?

25 A. Yes.

1 Q. And how is that information provided to you,
2 or how was that information provided to you?

3 A. We got it -- I mean, via examples on the
4 Secretary of State's Web site.

5 Q. Okay. And does the Secretary of State also
6 provide some type of training with respect to that?

7 A. Right, the training.

8 Q. And you pass that along to the -- to your poll
9 workers, that information?

10 A. Yes, give examples.

11 Q. Okay. Now, you testified that the population
12 of Jefferson County is approximately 252,000 people?

13 A. Yes, I think so.

14 Q. Okay. And is that from the census data, or
15 how do you come to that number?

16 A. I think that was the last census. I would
17 have to go back and look.

18 Q. Okay. Do you know the racial demographics of
19 Jefferson County? What percentage is white, what
20 percentage is African-American, and what percentage is
21 Hispanic?

22 A. No, I don't. I'd have to look it up.

23 Q. Okay.

24 A. I can look at the census and tell you, but I
25 don't know offhand what it is.